

REMARKS

This RCE is submitted in Response to the Advisory Action dated April 6, 2005. Claims pending at the time of the Advisory Action stood rejected under 35 U.S.C. § 103 as being unpatentable over Mautz in view of Tsai. Applicants reserve the right to contest the combination of Mautz and Tsai to render any claims of this application as unpatentable. The Advisory Action maintained the final rejection.

The Advisory Action indicates:

Mautz clearly does not use ashing alone to remove residual polymer. Mautz's solution cleans the insulating layer 68 by etching it, clearly removing residual polymer which is inherently left behind by the interconnect etching step.

In essence, the Advisory Action alleges that the Mautz inherently teaches that residual polymer remains on the insulating layer 68 after Mautz's ashing step, and that Mautz inherently teaches the insulating layer etch step removes any residual polymer on the insulating layer 68. In relying upon the theory of inherency, the Examiner must provide a basis in fact, and/or technical reasoning to support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the prior art. M.P.E.P. § 2112.

The Advisory Action has not provided the necessary basis for concluding that residual polymer is inherently left behind on the insulating layer 68 of Mautz after Mautz's ashing step and/or that the solution used by Mautz removes the residual polymer on the insulating layer 68. As such, Applicants submit that a prima facie case of obviousness has not been made with respect to claims 1-9.

CONCLUSION

Applicant(s) submit that all claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia, 22313-1450, on 4/18/05.

Eric A. Stephenson 4/18/05  
Attorney for Applicant(s) Date of Signature

Respectfully submitted,



Eric A. Stephenson  
Attorney for Applicant(s)  
Reg. No. 38,321  
Telephone: (512) 439-5093  
Facsimile: (512) 439-5099